GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration & Stamps Department – Institution of Lokayukta, Hyderabad – complaint No.1546/2014/B2 filed by Sri Vandara Paul Himamsu, S/o Late Appanna, R/o Visakhapatnam - Initiation of disciplinary proceedings against Sri R.Satyanarayana, former District Registrar, Registration & Stamps, Vizianagaram presently District Registrar, Registration & Stamps, Rajahmundry and Sri T.Mallikarjuna Rao, Junior Assistant O/o the District Registrar (AB), Vizianagaram – Written Statement of Defense submitted – Examined – Warned to be more careful in future – Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.883 **Dated:31-08-2017**

Read the following:

1. Instiution of Lokayukta for the States of A.P., & Telangana Lr.No.1546/2014/B2/2377/2015, dt:11-9-2015.
2. Orders of Upa-Lokayukta for the States of AP and Telangana in Complaint No.1546/2014/B2, dt:29-7-2015.
3. G.O.Rt.No.635, Rev (Vig.II) Deptt., dated:15-06-2016.
4. G.O.Rt.No.636, Rev (Vig.II) Deptt., dated:15-06-2016.
5. WSD of Sri T.Mallikarjuna Rao, Jr.Asst., through D&IG, R&S, AP., Hyd., Lr.No.Vig.3/11804/2015, dated:17-9-2016.
6. WSD of Sri R.Satyanarayana, DR, R&S, Vizianagaram dt:19-12-2016 through D&IG, R&S Lr.No.Vig.3/11804/2015, dt:24-4-2017.
7. Govt., Memo.No.19729/Vig.II(1)/2015-7, dt:25-5-2017.

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ORDER:

Whereas, in the reference 2nd read above, on the complaint filed by one Sri Vandara Paul Himanshu, S/o Late Appanna, R/o Visakhapatnam in complaint No.1546/2014-B2 before Lokayukta, the Hon'ble Lokayukta while closing the complaint have passed the following orders:-

> "Having seen the material on record, it is well established that the public servant-1 i.e., Sri R.Satyanarayana and Public Servant -2 i.e., Sri T.Malikarjuna Rao exhibited miss-conduct of gross negligence of duty in maintaining records of the District Registrar properly in chronological order as they are custodians of the records, responsible for the missing of the file during the period December 2013 to 4th week of March 2015 (1 year 4 months) related to M/s G.R.K. Ratnam Memorial Educational Society and PSs.1 and 2 are deserved to face the disciplinary action. Therefore, it is desirable to direct the competent authority to take appropriate action against the Public Servants -1 and 2 duly giving opportunity to both Public Servants as well as the complainant.

2. Government have examined the matter initiated disciplinary proceedings against the above officials viz., Sri R.Satyanarayana, former District Registrar, Registration and Stamps, Vizianagaram and presently District Registrar, Registration and Stamps, Rajahmundry and Sri T.Mallikarjuna Rao, Junior Assistant O/o the District Registrar (Administrative Branch), Vizianagaram vide references 3rd and 4th read above respectively, duly framing the following charges:-

Charge against Sri R. Satyanarayana, District Registrar, Anakapalli Registration District:

"That Sri R. Satyanarayana, While working as District Registrar, Vizianagaram during the period from 17.10.2012 to 21.10.2014 failed to maintain records of the District Registrar properly in chronological order as he is the custodian of the records, responsible for the missing of the file during the period from December, 2013 to 4th week of March, 2015 related

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to M/s. G.R.K. Ratnam Memorial Educational Society registered as No. 290/1995 and thereby failed to maintain absolute integrity in contravention of Andhra Pradesh Civil Services (Conduct) Rules, 1964."

Charge against Sri T. Mallikarjuna Rao, Junior Assistant, District Registrar Office (Administrative Branch), Vizianagaram District:

"That Sri T.Mallikarjuna Rao, working as Junior Assistant during the period from 28-06-2013 to till date failed to maintain records of the District Registrar properly in chronological order as he is the custodian of the records, responsible for the missing of the file during the period from December, 2013 to 4th week of March, 2015 related to M/s. G.R.K. Ratnam Memorial Educational Society registered as No. 290/1995 and thereby failed to maintain absolute integrity in contravention of Andhra Pradesh Civil Services (Conduct) Rules, 1964."

3. In the reference 5th read above, the Charged Officer Sri T.Mallikarjuna Rao, Junior Assistant has submitted Written Statement of Defence, wherein, he has mainly stated that on 8-7-2013, Sri V.Sahu submitted the resolution copies of the society and the same was accepted for filing by the then District Registrar and stated that the acknowledgement was issued to that effect and the same was filed with the connected original bye-law and the same was handed-over to one of the Office Sub-Ordinate to keep it in record room. He has further stated that on a working day, the District Registrar directed him to show the copies of the bye-law No.290/1995 and minutes of the society to Sri Vandara Paul Himansu filed on 8-7-2013. At that time unfortunately, the said bye-law and others papers filed previously are misplaced and not traced out except the papers filed on 8-7-2013. A Xerox copy of the bye-law is found and as per directions of the District Registrar, the same was shown to Sri Vandara Paul Himansu. He has further stated that Sri Vandara Paul Himansu has filed a complaint in the Hon'ble Lokayukta vide No.1546/14/B2, dt:3-6-2014 against him and the District Registrar for misplacing the bye-law and also complained that the original bye-law is destroyed by colluding with Sri V.Sahu. He has further stated that the bye-law of a registered society is a permanent record and it cannot be destroyed and stated that after thorough search of the records in record room, the said bye-law No.290/1995 was found and the fact was submitted to the Hon'ble Lokayukta. He has further stated that misplacing of bye-law is not intentionally done as complained and the original bye-law is only misplaced. With the above, he has requested the Government to drop the charges framed against him.

4. And whereas, in the reference 6th read above, the Charged Officer Sri R.Satyanarayana, former District Registrar, Registration and Stamps, Vizianagaram and presently District Registrar, Registration and Stamps, Rajahmundry has submitted Written Statement of Defence wherein, he has stated mainly among others that a Society by name G.R.K.Ratnam Memorial Educational Society was registered on 20-6-1995 in the O/o Registrar, Vizianagaram as Society No.290/1995 under the Societies Registration Act, 1860. The Society filed copies of resolutions and Executive Body up to 2012 i.e., before he took charge as District Registrar, Vizianagaram. He has further stated that the Society filed copies of General Body and Executive Body along with Income and expenditure statements for the year 2012-2013 and they were taken on record on 7-6-2013 vide file No.110/2012 duly verifying the concerned Society records and after that the entire society records were taken away by the concerned Senior Assistant to preserve in the concerned Almirah, where all the Society records used to be placed. He has further stated that Sri Vandara Paul Himamsu a member of the society filed a complaint against the District Registrar, Vizianagaram before the Hon'ble Lokayukta, vide Complaint No.1546/14/B2 alleging certain allegations including missing of original bye-law of the said Society. He further stated that he has called for the Senior Assistant and came to know that the original Byelaw of the said society found missing but a Xerox copy of the Society was found in the records.

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5. He has further stated that a thorough search was made in the office in the entire Society Records paper to paper, but unfortunately it was not found. Since, the Original Byelaw was not traced out in the entire Society Records, efforts were made to search other records in the office, and after thorough search the Original Byelaw of the said Society was found in the other records and the same was informed to the Hon'ble Lokayukta. He has further stated that as the Original byelaw of the Society was mingled with other records, the delay in finding out the said original byelaw happened but not wantonly or intentionally or negligence on his part as District Registrar, Vizianagarm and he made sincere efforts to find out the missing original byelaw of the said Society. He has further stated that he himself as District Registrar, Vizianagaram is custodian of the Society Records, the entire records have been maintained by the concerned Senior Assistant who looks after the work of the Society records. He has further stated that the entire societies records have been in the chronological order as society Number and year wise, but while handling the records of the said society during filing or some other occasion, the Original byelaw might have accidentally been misplaced. With the above, he has requested the Government to consider the Written Statement of Defence and drop further action against him.

6. Whereas, Government have examined the matter in detail and decided to conduct personal hearing in the matter duly informing both the above Charged Officers as well as the complainant, and accordingly intimated vide reference 7th read above. Both the Charged Officers and the complainant have attended the personal hearing conducted in the chambers of Special Chief Secretary, Revenue (CT, Ex & R&S) on 12-6-2017.

7. Whereas, the complainant Sri Vandara Paul Himamsu, S/o Late Appanna, Sri R.Satyanarayana, District Registrar and Sri T.Mallikarjuna Rao, Junior Assistant have attended the personal hearing on 12-6-2017 and putforth their arguments. During the hearing, the complainant filed a written representation and District Registrar was directed to handover a copy of the misplaced document and later the information was furnished to the complainant Sri Vandara Paul Himamsu by the Deputy Inspector General, Registration and Stamps, Visakhapatnam. After hearing the arguments, it is observed that it is clear that the Charged Officers Sri R.Satyanarayana, District Registrar and Sri T.Mallikarjuna Rao, Junior Assistant have failed to maintain the relevant records in a chronological order for easy retrieval. However, it is noticed that during that period, no changes were incorporated in the records. Government after careful examination of the matter keeping in view their explanations and production of records at a later date, it is considered to warn to be more careful in future in maintaining records.

8. Accordingly, Government hereby warn Sri R.Satyanarayana, former District Registrar, Vizianagaram, presently District Registrar, Registration and Stamps, Rajahmundry and Sri T.Mallikarjuna Rao, Junior Assistant O/o the District Registrar (Administrative Branch), Vizianagaram to be more careful in future in maintaining the records.

9. The Director and Inspector General, Registration and Stamps shall taken necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
The Individuals (through the Director & Inspector General, Registration & Stamps, Andhra Pradesh with a request to serve the order and furnish the served copy along with dated acknowledgement to Government for record).
The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.

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Copy to:

The Registrar, Institution of Lokayukta for the States of Andhra Pradesh and Telangana at Hyderabad.
The Deputy Inspector General, Registration & Stamps, Vizianagaram.
The Deputy Inspector General, Registration & Stamps, Visakhapatnam.
Sri Vandara Paul Himamsu, S/o Late Appanna, APSEB Colony, Visakhapatnam.(through the Deputy Inspector General, Registration & Stamps, Visakhapatnam)
SF / SC

//FORWARDED :: BY ORDER//

SECTION OFFICER